

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: March 31, 1980

SUBJECT: Foundry Sands in Brook Park, Ohio

FROM: Joel E. Balmat, Engineering Section
Elizabeth Schoettly, Legal Support Section

TO: LSC Members

Background

Foundry sands from Ford Motor Company's Cleveland Casting Plant in Brook Park, Ohio have been deposited over an indeterminate number of years along the banks of Abrams Creek in Brook Park. U.S. EPA and OEPA site surveys have revealed that foundry sands have been deposited in at least four and as many as six sites along the creek. Visual observations have indicated that severe erosion of the sands at some of the fill sites has led to contamination of the stream and interference with normal stream flow.

U.S. EPA Investigations

5-21-75 EDO and COE inspected on area near the Cleveland-Hopkins Airport.

12-16-77 EDO inspected several sites and noted "milky-grey" appearance of stream.

8-22-78 EDO inspected three sites. An estimated 60,000 cubic yards of foundry sand has been deposited in the Brook Park City Landfill. Severe erosion was witnessed at the sites. Sample results indicated that the sands were "heavily contaminated" with Ba, Cr, Ni, Cu, and displayed traces of PCBs.

12-8-78 EDO, OEPA, COE, FAA, and local officials inspected the area. Erosion and runoff into the stream was evident.

6-6-79 308 letter sent to Ford regarding foundry sand disposal practices. Response indicated disposal records back to 1974.

OEPA Activity (on record)

5-1-79 In response to an inquiry from Carl Klepitsch, OEPA indicated a cooperative effort by State and County Health Department to resolve the problem.

8-8-79 OEPA and Health Dept. visited two of the sites and made recommendations to the City on securing the sites.

12-79 to present OEPA is awaiting results of leachate tests on sands before deciding their final disposition.



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SUBJECT: LSC Meeting, Tuesday, April 1, 1980

FROM: Joel Balmat and Elizabeth Schoettly
Enforcement Division

TO: File - Ford Brook Park

The following legal issues may be appropriate vehicles for resolving the fill problems at Brook Park. A brief description of the facts and research needed is attached.

1. RCRA Action: ~~Depending on the~~ nature of the materials found at the site, a CDP will be drafted for rapid action under RCRA.
2. Oil Spill: Preliminary investigations indicate oily substances are contained in the sands.
3. PCB: Foundry sands are a likely source of PCB contamination. If core samples show PCB contamination, relief will be sought under 40 C.F.R. 761.
4. 402: The deposition of sands in this area may be from a point source if dumping is by truck. A truck may be considered a point source. The deposit of foundry sands is the deposition of wastes in a public waterway without a permit.
5. 404: The COE has declined enforcement of 404 at this site. EPA may pursue 404 enforcement on its own authority, or by use of the Rivers and Harbors act.
6. 308: a 308 letter was sent to Ford. The answer from Ford did not comport with facts known by Ford. Possible criminal action for false statements under 308 may be appropriate.
7. The Rocky River is the receiving water for any leachate or runoff from the site. The DOI should be apprised so that wildlife protection action may be taken under their regs. The Rocky River flows to Lake Erie.
8. Downstream water supply sources are being verified for a possible SDWA action.

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WOODRUFF IN C

SAMPLES TAKEN 8/23/78
EZ03 S01 - NAIMAN CO.
S02 - BROOKPARK LANDFILL
S03 - BROOKPARK LANDFILL

